

March 23, 2023

VIA ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Valentine v. City of New York et al., 21-CV-4867 (EK) (VMS)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney assigned to the defense in the above-referenced matter. The Parties write jointly to respectfully request that the Court extend defendants' time to respond to the "relevant discovery" by one week following the Court's decision on Defendants' motion for a protective order. (*See* Dkt. Entry dtd Mar. 6, 2023, Dkt. No. 53). Further, the Parties respectfully request that the Court extend Plaintiff's time to amend his complaint until two weeks and one day following the Court's decision on Defendants' motion. (*See* Dkt. Entry dated Mar. 6, 2023).

By way of background, on February 21, 2023, the Court ordered a settlement conference to be held on May 9, 2023 and that "[a]ny settlement should be directed at Defendants who arguably had something to do with the alleged wrongdoing." (Dkt. Entries dated Feb. 15, 2023, Mar. 6, 2023). Thus, the Court further Ordered that Defendants should provide the "relevant discovery" by today, March 23, 2023. (Dkt. Entry dated Mar. 6, 2023). On March 20, 2023, Defendants requested a protective order pursuant to Rule 26(c) of the Federal Rules of Civil Procedure to relieve them. (Dkt. No. 53). Consistent with the Court's Individual Rules of Practice, Plaintiff anticipates filing an opposition to that motion three business days later, or this evening, March 23, 2023.

As of the date of the filing of this letter, the Court has not ruled on Defendants' motion and therefore Defendants cannot respond with the relevant discovery until their motion is ruled upon. Further, Plaintiff seeks to file an opposition today and therefore the Court could not reasonably provide a ruling prior to Defendants' deadline.

For this reason, the Parties respectfully request that the Court extend Defendants' time to respond to the "relevant discovery" by one week following the Court's decision on Defendants' motion for a protective order. Further, since Plaintiff claims he needs the responses to this relevant discovery prior to amending his complaint, the Parties respectfully request that the Court extend

plaintiff's time to amend his complaint until two weeks and one day following the Court's decision on Defendants' motion.¹

The Parties thank the Court for its time and attention to this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Mary K. Sherwood". The signature is written in a cursive, flowing style.

Mary K. Sherwood
Assistant Corporation Counsel
Special Federal Litigation Division

Cc: All Counsel of Record (via ECF)

¹ The Court originally had these deadlines one week and one day separating each other, *i.e.* March 23, 2023 and March 31, 2023. Therefore, the Parties adopted the same pattern for their proposed deadlines.